

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:	David Zahner	Patent Application
Serial No.:	09/916,603	
Filing Date:	7/27/2001	
Art Unit:	3765	
Examiner:	James G. Smith	
For:	Apparatus for hanging articles of clothing	
Attorney Docket No.:	4042.026.200	

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Petition to Accept Unintentionally Delayed Priority Claim

Applicant hereby petitions to accept an unintentionally delayed claim for the benefit of a prior-filed application under 35 U.S.C. §120, 37 C.F.R. §1.78(a)(3), and M.P.E.P. §201.11.

Pursuant to 37 C.F.R. §1.78(a)(3), such a petition requires: (i) the reference required by 35 U.S.C. §120 and paragraph (a)(2) of this section to the prior filed application; (ii) the surcharge set forth in §§ 1.17(t); and (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.

With respect to the required reference under (I), it is as follows:

The present application is a continuation of U.S. Nonprovisional Application Serial No. 09/738,545 filed December 15, 2000 ("the '545 application") (abandoned), which claims the priority of U.S. Provisional Application Serial No. 60/171,081 filed 12/15/99 ("the '081 application"), U.S. Provisional Application Serial No. 60/203,873 filed May 12, 2000 ("the '873 application"), U.S. Provisional Application Serial No.

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60/143,853 filed July 15, 1999 ("the '853 application"), U.S. Provisional Application Serial No. 60/150,876, filed August 26, 1999 ("the '876 application"), and U.S. Provisional Application Serial No. 60/217,747 filed July 12, 2000 ("the Suspended Bath Products Application" or "the 747 application").

The present application is also a continuation-in-part of U.S. Nonprovisional Application Serial No. 09/617,402 filed July 17, 2000 ("the External Slits application" or the "402 application") (patented as U.S. Patent No. 6,494,248 B1 on December 17, 2002).

The '545 application (U.S. Nonprovisional Application Serial No. 09/738,545 filed December 15, 2000) is also a continuation-in-part of U.S. Nonprovisional Application Serial No. 09/738,555 filed December 15, 2000 entitled "Towel Products" (abandoned).

The priority of all of the above applications is claimed, and all of those prior applications are fully incorporated into this application by reference.

The above reference is also provided in an Amendment to the Specification submitted concurrently herewith. The incorporation by reference listed therein is believed to be proper since the prior applications were incorporated by reference at the time that the present application was filed.

With respect to the surcharge set forth under §1.17(t), a check in payment of the amounts due is enclosed. Should any further fees be required, authorization is hereby provided to charge all amounts due to Deposit Account 50-1604.

In addition, the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional. Counsel had intended to claim the priority of the parent applications, and the first line of this application had, in fact, included an express reference claiming the priority of the earlier applications when the present application was filed, but that reference did not expressly indicate the relationship between the applications. This came to counsel's attention during preparation of the Issue Fee transmittal, and as a result, the present petition is being submitted.

Counsel thanks the Patent Office in advance for their consideration of this petition.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'm. e. cohen', followed by a long horizontal flourish.

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